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CENTRAL FAX CENTER

Fax Transmission | February 28, 2007

FEB 28 2007

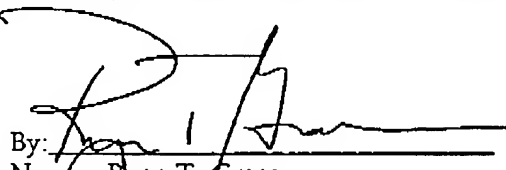
TO:

Mail Stop Amendment  
Commissioner for Patents  
Attn: Examiner Matthew Luu  
P.O. Box 1450  
Alexandria, Virginia 22313-1450FROM: Ryan T. Grace  
  
OUR REF: 50037.229US01Total pages, including cover letter: 5PTO FAX NUMBER 1-571-273-8300

If you do NOT receive all of the pages, please telephone us at 206.342.6200, or fax us at 206.342.6201.

Title of Document Transmitted: Transmittal (+copy): Response and Election  
Applicant: Daniel G. O'Neil et al.  
Serial No.: 10/788,989  
Filed: February 27, 2004  
Group Art Unit: 2861  
Our Ref. No. 50037.229US01  
Confirmation No. 6860

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By:   
Name: Ryan T. Grace  
Reg. No. 52,956

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Tracy GutscherSignature Date 2-28-07

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Daniel G. O'Neil et al. Examiner: Matthew Luu  
Serial No.: 10/788,989 Group Art Unit: 2861  
Filed: February 27, 2004 Docket: 50037.229US01  
Confirmation No.: 6860 Due Date: February 28, 2007  
Title: METHOD AND SYSTEM FOR USING A COLOR SCHEME TO COMMUNICATE  
INFORMATION RELATED TO THE INTEGRATION OF HARDWARE AND  
SOFTWARE IN A COMPUTING DEVICE

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this correspondence is being sent via facsimile to (571) 273-8300, Mail Stop Amendment, Commissioner for Patents, Attn: Examiner Matthew Luu, P.O. Box 1450, Alexandria, VA 22313-1450 on February 28, 2007.

By:   
Name: Tracy Gutscher

Mail Stop Amendment  
Commissioner for Patents  
Attn: Examiner Matthew Luu  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

27488

PATENT TRADEMARK OFFICE

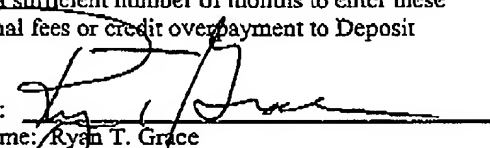
Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate Under 37 CFR 1.6(d)  
☒ Response and Election

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.  
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Minneapolis, MN 55402-0903  
206.342.6200

By:   
Name: Ryan T. Grace  
Reg. No.: 52,956  
RTG:tg

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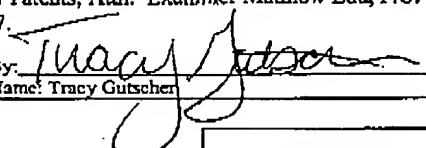
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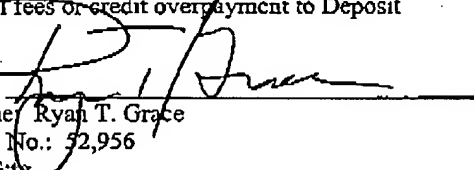
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A/N 10/788,989

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Name: Tracy Gutscher

RESPONSE AND ELECTION

Mail Stop Amendment  
Commissioner for Patents  
Attn: Examiner Matthew Luu  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement mailed January 31, 2007, applicants respectfully submit this following Response and Election to the Restriction Requirement made by the Examiner under 35 U.S.C. 121. The restriction requirement was made for the following inventions:

I. Claims 1, 6-8, 26, and 29, drawn to a method for using a color scheme, classified in class 345, subclass 593.

II. Claims 9, 14, 16-17, 27, and 30, drawn to a system with software element instantiates when the incoming event notification associated with the software element is received, classified in class 455, subclass 566.

III. Claims 18, 25, 28, and 31, drawn to a system with means for associating a color scheme with the software application to indicate a brand and to indicate that the function of the soft key is associated with the hardware button, classified in class 715, subclass 840.

A. Wherein the incoming event notification is associated with an incoming call (claims 7, 16, or 25).

B. Wherein the incoming event notification is associated with a guide for user action (claims 26, 27, or 28).

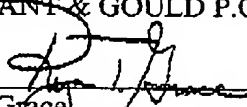
C. Wherein the incoming event notification is associated with a calendar reminder (claims 29, 30, or 31).

Applicants elect to prosecute the invention taught by Group I and A. The aforementioned election is made without traversal. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicants at the telephone number provided below.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903

Respectfully Submitted,

MERCHANT & GOULD P.C.

  
\_\_\_\_\_  
Ryan T. Grace  
Registration No. 52,956  
Direct Line: 206.342.6258